

**VILLAGE OF WESTON, WISCONSIN  
RESOLUTION NO. 2018-ETZ-001**

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- A RESOLUTION,** creating the Village of Weston Zoning Steering Committee.
- WHEREAS,** the Extraterritorial Zoning Committee is empowered by State Statutes to do and perform all of the functions set out in the Village of Weston Municipal Code Chapter 94 Zoning for areas within the ETZ area of the Town of Weston.
- WHEREAS,** in March 2015 a new zoning ordinance, Chapter 94, was adopted and now functions as the Zoning Ordinance for the portion of the Town of Weston within the Village of Weston Extraterritorial Zoning jurisdiction.
- WHEREAS,** the State of Wisconsin enacted 2017 Wisconsin [Act 67](#), also known as the Homeowner Bill of Rights, on November 28, 2017.
- WHEREAS,** the Department of Planning and Development is also undergoing a Department Audit to look at how the 2015 zoning ordinance and the new procedures that were established are working.
- WHEREAS,** the adoption of Act 67 and the Department Audit has prompted the Village to review Chapter 94 for conformance with the new regulations set forth in Act 67.

**BE IT RESOLVED** by the ETZ for the Town and Village of Weston hereby creates a Zoning Steering Committee that will be tasked to review Chapter 94 and bring any proposed amendments back to the Plan Commission/ETZ for their discussion and ultimate review and recommendation to the Village Board.

**BE IT FURTHER RESOLVED** that the ETZ Committee tasks the Director of Planning and Development to assemble a Zoning Steering Committee made up of elected, appointed and citizen members to review the current Zoning Ordinance and report back to the Plan Commission and ETZ Committee with any amendments they deem to be necessary.

**PASSED BY THE EXTRATERRITORIAL ZONING COMMITTEE OF THE TOWN AND VILLAGE OF WESTON,** at a regular meeting thereof, this 12th day of the month of February 2018.

**VILLAGE OF WESTON,** a Municipal Corporation of the State of Wisconsin.

By:

  
DENNIS LAWRENCE, Chairman

ATTEST:

By:

  
VALERIE PARKER, Secretary

# VILLAGE OF WESTON, WISCONSIN

## AGENDA ITEM BRIEFER

### 1. Policy Question:

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Should the Plan Commission & ETZ Committee create a Zoning Steering Committee to review Chapter 94?

### 2. Purpose:

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The purpose of asking this question is to receive guidance and feedback from Village policymakers regarding the "policy question" written out above.

### 3. Background:

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New legislation was signed by Governor Walker, [Act 67](#), in November that limits the ability of local governments to control certain zoning regulations and requires greater flexibility in the approval of conditional use permits. The Planning and Development Department also recently began an audit of the Department and its services.

### 4. Issue Analysis:

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In order to comply with the new Act 67 Chapter 94 needs to be reviewed to ensure that it is compliant with changes that were set forth in Act 67. The Department has also been experiencing some pushback from the business community, mainly in the industrial areas, with some of the regulations and processes that were put established with the 2015 Zoning Ordinance rewrite. The Department is currently undergoing a Department Audit with the help of Mark Roffers, MDRoffers who also helped develop the original 2015 Zoning Ordinance. Attorney Yde presented on Act 27 at a previous meeting. The Plan Commission directed Administrator Guild to set up a Steering Committee to look at changes needed to the Zoning Ordinance instead of taking time during the regular meetings with the full PC/ETZ.

Staff has already reached out to a number of individuals that we feel would be good steering committee members. The following have agreed to be on the Steering Committee to date:

- Trustee/PC Chairman Loren White
- PC/ETZ member Dennis Lawrence
- Fred Schuster, former Trustee and PC member
- ETZ Committee member Mark Hull
- Local Businessman and member of the 2013 Zoning Steering Committee Joe Jordan
- Attorney Matt Yde
- Mark Roffers, MDRoffers
- Jennifer Higgins, Director of Planning and Development (staff)

I will also will be placing a notice out on social media to see if we can find another citizen member who would be interested in serving.

### 5. Fiscal Impact:

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Costs for public hearing and ordinance publications.

## **6. Legal Impact:**

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It is legal and consistent with past policy practice. A Steering Committee was formed back in 2013 to assist with the 2015 Zoning Code rewrite.

## **7. Prior Review:**

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Plan Commission/ETZ Committee discussion 12/11/17 & 1/8/18

## **8. Policy Choices:**

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1. Approve Resolution 2018-ETZ-001 as drafted.
2. Approve Resolution 2018-ETZ-001 with amendments made by the ETZ.
3. Deny Resolution 2018-PC-001 and handle the review at the Plan Commission/ETZ level.

## **9. Recommendation:**

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I recommend that the ETZ Committee approve Resolution 2018-ETZ-001 as drafted.

## **10. Attachments:**

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- Resolution 2018-ETZ-001

**VILLAGE OF WESTON, WISCONSIN  
AGENDA ITEM COVER SHEET**

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**MTG/DATE:** ETZ Committee – 02/12/18

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**FROM:** Jennifer Higgins, Director of Planning & Development

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**DESCRIPTION:** Res. No. 2018-ETZ-001: A Resolution Creating the Village of Weston Zoning Steering Committee

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<b>ACTION:</b>	<input checked="" type="checkbox"/> <b>Approve</b> <input type="checkbox"/> <b>Deny</b> <input type="checkbox"/> <b>Expenditure</b>	<input type="checkbox"/> <b>Ordinance</b> <input type="checkbox"/> <b>Policy</b> <input type="checkbox"/> <b>Procedure</b>	<input type="checkbox"/> <b>Proclamation</b> <input type="checkbox"/> <b>Report</b> <input checked="" type="checkbox"/> <b>Resolution</b>
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**QUESTION:**

Should the ETZ approve a Resolution creating a Steering Committee to review and recommend potential changes to Chapter 94 Zoning in response to the new [Act 67](#) (Homeowners Bill of Rights)?

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**BRIEF:**

New legislation has been signed by Governor Walker, [Act 67](#), that limits the ability of local governments to control certain zoning regulations and requires greater flexibility in the approval of conditional use permits. Attorney Yde gave a presentation to the Plan Commission & ETZ on the new law and how it will affect how we administer the zoning ordinance in the future at our December 11<sup>th</sup> meeting. A workshop was held at the January meeting to discuss further and the members suggested to Administrator Guild that they would like to create a Steering Committee to look at the needed changes further. The Department is also undergoing an audit so the Steering Committee will also be tasked to discuss potential zoning amendments and process changes that need to be made from the audit findings.

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**RECOMMEND:** Director recommends approval.

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**COMMITTEE:** Plan Commission/ETZ Committee discussion 12/11/17 & 1/8/18

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**REQUEST:** Approve Resolution #2018-ETZ-001 under Resolutions/Ordinances

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☒ Is there an additional briefer with this agenda item?

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☒ Are there additional reference documents which have been attached to this report?

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